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Office of Personnel Services and Benefits

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Lieutenant Governor

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Secretary

MEMORANDUM

DATE: September 17, 2003

TO: SPMS Agency Personnel Directors

FROM: Andrea M. Fulton *AMF/gp*
Executive Director

SUBJECT: Guidelines for Assisting Displaced State Employees

As a result of the July 30, 2003 meeting of the Board of Public Works (BPW), eighty-two filled positions were abolished on August 31, 2003. The following Guidelines and Outplacement Guide are to provide information to agencies in assisting displaced State employees.

The Maryland State Employee Guide to Outplacement Services (for employees separated as a result of this BPW action) is designed to assist employees in finding alternative employment and in understanding their reinstatement rights and unemployment benefits. This resource highlights a variety of Office of Personnel Services and Benefits (OPSB) services related to recruitment, health benefits/COBRA, and employee assistance. It also provides information on services available to employees through the Department of Labor, Licensing and Regulation's local Maryland Job Service offices.

The Recruitment and Examination Division (RED) is offering employment and career advisory services, placement and referral assistance, and informational workshops to these employees. Please refer to the attached, Guidelines for Assisting Displaced State Employees, for specific instructions and information pertaining to referring employees to these services. As of this date, we have written to all displaced employees impacted by the position abolition, as a follow up to the original notification provided by each appointing authority. A sample of the letter provided to each dislocated State employee is attached for your information.

Recruitment and Examination Division staff will be facilitating the certification of employees to appropriate eligible lists as reinstatement candidates. Under section 11-302 of the State Personnel and Pensions Article (SPPA), separated employees in the skilled and professional service are entitled to special reinstatement provisions. Management service, executive service and special appointment employees also have access to advisory services and may be eligible for certification as a reinstatement candidate, depending on their prior work history. The attached Guidelines outline the process that RED will follow to assist employees who are experiencing the loss of their positions.

Under section 2-601 of the SPPA, separated employees are entitled to reinstatement rights for a period of three years from their last day of employment with the State. This means that they may return to State employment during that time and receive credit for the time employed before separation for the purpose of determining their step in the pay grade, rate of annual leave accrual, and seniority rights. We are asking each Agency personnel director to continue taking steps to ensure that the affected employees are appropriately notified of their rights. Additionally, we are asking that you compute and provide seniority points to RED for each affected employee by September 30, 2003.

Finally, there has been some confusion regarding employees' eligibility for the State's severance package. Only employees whose positions were abolished during the above referenced BPW meeting are eligible. Employees who were terminated prior to this meeting, or for reasons other than those specified in section 11-302 of the SPPA, are not eligible to receive the State's severance package. If you have additional questions regarding this matter, please feel free to contact me at (410) 767-4917. Thank you for your attention to this matter.

CC: Kristine Hoffman
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